

## UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America  
v.

DAYTEN ELI ABRAM,

Case No.

1:23-mj-440-KMB

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Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 16th, 2023 in the county of Delaware in the  
Southern District of Indiana, the defendant(s) violated:*Code Section*21 U.S.C. § 841(a)(1)  
18 U.S.C. § 924(c)*Offense Description*Possession of Controlled Substances with Intent to Distribute  
Carrying a Firearm During and in Relation to a Drug Trafficking Crime

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.

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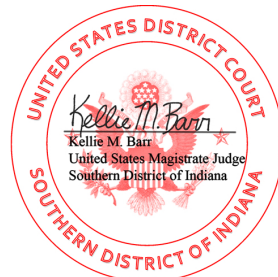
/s/ Barry F. Blackmore

Complainant's signature

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SA Barry Blackmore, DEA

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by  
telephone (reliable electronic means)Date: May 31, 2023City and state: Indianapolis, IN

**AFFIDAVIT IN SUPPORT OF COMPLAINT**

I, Barry Blackmore, being duly sworn under oath, state as follows:

**Affiant Background and Purpose of Affidavit**

1. I am a Special Agent for the United States Department of Justice, Drug Enforcement Administration (“DEA”). I have been so employed since 2004. Since July, 2019, I have been assigned to DEA’s Indianapolis District Office. As part of my training, I received sixteen weeks of training in the area of narcotics investigations at the DEA Justice Training Center at Quantico, Virginia. I have furthermore received specialized training in the investigation of basic telecommunications exploitation and internet telecommunications exploitation. I have worked as a case agent and assisted other agents and officers in their investigations on cases involving violations of Title 21 of the United States Code, Section 841(a)(1) – Possession of Controlled Substances with Intent to Distribute; and Title 21, United States Code, Section 846 – Conspiracy to Possess Controlled Substances with Intent to Distribute. Specifically, those investigations have focused on the manufacture and distribution of methamphetamine, heroin, fentanyl, cocaine, and marijuana. I am familiar with, and participated in, all of the conventional investigative methods, including but not limited to, electronic surveillance, visual surveillance, questioning of witnesses, search warrants, confidential informants, pen registers, trap and trace, and the use of undercover agents. I have provided testimony before a Federal Grand Jury numerous times. Through my training and experience, I have become acquainted with the identification of various controlled substances. I have also become acquainted with the various methods used by individuals to possess, transport, and sell controlled substances in violation of federal law.

2. I am an investigative or law enforcement officer of the United States within the meaning of section 2510(7) of Title 18, United States Code, in that I am an officer of the United States, empowered by law to conduct investigations and make arrests for offenses enumerated in Title 18, United States Code, Section 2516.

3. This affidavit is submitted in support of a criminal complaint charging Dayten Eli ABRAM with Possession with Intent to Distribute 40 Grams or More of Mixture or Substance Containing a Detectable Amount of Fentanyl, in violation of Title 21, United States Code, Sections 841(a)(1) and 841 (b)(1)(B)(vi) and Carrying a Firearm During and in Relation to a Drug Trafficking Crime, in violation of Title 18, United States Code, Section 924(c).

4. The statements contained in this Affidavit are based in part on my direct involvement in this investigation; on my experience and background as a Special Agent with the DEA; on information provided by and conversations held with other law enforcement officers, including Special Agents/Task Force Officers of the DEA, officers of the Muncie, Indiana Police Department (MPD), other law enforcement officers, and others described below; and on a review of reports and database records. I have not included each and every fact that has been revealed through the course of this investigation. I have set forth only the facts that are sufficient to establish probable cause for the issuance of the Complaint and associated arrest warrant.

#### **Facts and Circumstances**

5. On March 16<sup>th</sup>, 2023, at approximately 1:09 PM, Muncie, Indiana Police Department (MPD) officers conducted a traffic stop of a White Toyota Tacoma after the vehicle was witnessed by investigators not signaling for a turn, on West 13<sup>th</sup> Street, and Ash Street, Muncie, IN. The traffic stop was

conducted at 1491 West 8<sup>th</sup> Street, Muncie, IN. The driver of the Toyota Tacoma was Dayten Eli ABRAM.

6. As an MPD investigator was standing near the Tacoma ABRAM was driving, the investigator could smell the odor of burnt marijuana and saw both a green plant like material in the middle console cup holder and a Glock 9mm semiautomatic handgun on the driver's side floorboard inside the vehicle, near a BMV receipt with ABRAM's name on it. Through the MPD investigator's training and experience, he was familiar with marijuana by sight and by odor having been exposed to the sight and odor of both raw and burned marijuana at the training academy and having participated in dozens of investigations involving marijuana.

7. A search of the vehicle revealed a large clear bag containing approximately 1,526 small blue pills (weighing 213.6 grams), believed to be counterfeit Oxycodone pills, which are commonly made with fentanyl. A field test of one of the pills found in the vehicle resulted in a positive result for fentanyl. Also located in the vehicle was a black bag that contained approximately \$8,749.00 in U.S. currency and a single 9mm round of ammunition. There was also a small bag of a plant like substance that field tested positive for the presence of THC, the active ingredient found in marijuana.

8. A search of ABRAM resulted in the discovery of a clear bag containing 108 pills on his person. These 108 pills had a gross weight of 16.6 grams and included 1 pill with imprint 10/325 M523, which was identified as Schedule 2

Controlled Substance, Acetaminophen/Oxycodone, 3 pills with imprint RP 10 325, which were also Schedule 2 controlled substance, Acetaminophen/Oxycodone, 4 pills with imprint GG249, which were identified as a Schedule 4 Controlled Substance, Alprazolam, 1 pill with imprint GG 258, which was identified as a Schedule 4 controlled substance, Alprazolam, 4 pills imprinted with K 56, which was identified as Oxycodone, 5 pills imprinted B704, which were later identified as Alprazolam, a Schedule 4 controlled substance, and 2 pills imprinted with K 9, which were identified as Oxycodone.

9. ABRAM was taken to the MPD Investigations Office where he was given his *Miranda* rights and interviewed. ABRAM admitted that the black bag which had the money and live round of 9 mm ammunition was his. He also said he was not employed anywhere.

### **Conclusion and Request**

10. Based upon my training and experience and the facts set forth herein, I respectfully submit that there is probable cause to believe that, on March 16, 2023, in Muncie, Indiana, Dayten Eli ABRAM, committed the offenses of Possession with Intent to Distribute 40 Grams or More of a Mixture or Substance Containing a Detectable Amount of Fentanyl, in violation of Title 21, United States Code, Sections 841(a)(1) and 841 (b)(1)(B)(vi) and Carrying a Firearm During and in Relation to a Drug Trafficking Crime, in violation of Title 18, United States Code, Section 924(c). Accordingly, I request the Court issue

a criminal complaint, charging ABRAM with these offenses and issue a warrant for his arrest.

/s/ Barry F. Blackmore  
Barry F. Blackmore, Special Agent  
Drug Enforcement  
Administration

Sworn to before me by telephonic or other reliable means in accordance with Rules 41(d)(3) and 4.1 this 31st day of May, 2023.

